

DAVID NEFF WISE  
325 SOMERSET DRIVE  
SHIREMANSTOWN, PA 17011

COMPLAINANT

VS.

DORIS SHIVAR LINTHICUM  
AND ANY AND ALL OTHER  
PERSONS HAVING CLAIMING TO  
HAVE OR ENTITLED TO AN  
INTEREST IN THAT PROPERTY  
KNOWN AS 145-147 WEST PATRICK  
STREET, FREDERICK, MARYLAND

RESPONDENTS

IN THE  
CIRCUIT COURT  
OF FREDERICK  
COUNTY, MARYLAND

EQUITY NO. 82-5247

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### COMPLAINT FOR SALE IN LIEU OF PARTITION

Comes now the Complainant, David Neff Wise, by his attorney, John W. Chillas, and respectfully represents to this honorable Court the following:

1. The Complainant, David Neff Wise, is the owner in fee simple of an approximate ninety-eight percent (98%) interest in that real property, with building and improvements thereon, designated as 145-147 West Patrick Street, Frederick, Maryland.

2. That the remaining two percent (2%) interest would be held by George E. Linthicum of 111 Basswood Drive, Bristol, Tennessee.

3. That the said George E. Linthicum died on or about March 31, 1976 (see copy of Certificate of Death which is attached hereto as Exhibit 1) and that according to Exhibit 1 he was survived by Doris Shivar Linthicum, his wife.

4. Under the laws of Maryland, the interest of George E. Linthicum in the property described above should pass and vest in his Personal Representative.

5. That a search of the records in the office of the Register of Wills for Frederick County, Maryland failed to reveal that an estate for George E. Linthicum was ever opened.

6. According to information provided by the Clerk of the Court of Sullivan County, Tennessee, the County in which George E. Linthicum resided at the time of his death, no estate was ever opened there; therefore, the Complainant has no knowledge of the heirs of George E. Linthicum.

7. The property can not be utilized to its full extent as long as ownership is held in the present status, and the property can not be divided without substantial loss or injury to the value thereof.